

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

GREAT DANE LIMITED
PARTNERSHIP,

Plaintiff,

v.

STOUGHTON TRAILERS, LLC,

Defendant.

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Civil Case Number 3:08-cv-89 (CDL)

COMPLAINT FOR PATENT INFRINGEMENT

The Plaintiff, Great Dane Limited Partnership ("Great Dane"), files this Complaint for Patent Infringement against the Defendant Stoughton Trailers, LLC.

PARTIES

1. Great Dane is a limited partnership organized and existing under the laws of the State of Delaware with its principal place of business at 222 N. LaSalle Street, Chicago, Illinois 60601.

2. Upon information and belief, Defendant is a Wisconsin corporation organized and existing under the laws of the State of Wisconsin with its principal place of business at 416 South Academy Street, Stoughton, Wisconsin 53589.

3. Upon information and belief, Defendant transacts business in the State of Georgia and in this district.

JURISDICTION

4. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code, among others, Section 271 entitled "Infringement of Patent" and 35 U.S.C. §§ 281-285.

5. This Court has jurisdiction over the subject matter of the patent infringement claims pursuant to 28 U.S.C. §§ 1331 and 1338(a). Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b) and (c) and 1400.

6. This Court has personal jurisdiction over Defendant because Defendant transacts business in this judicial district and by its acts has caused and continues to cause Great Dane injury in this judicial district.

PATENT INFRINGEMENT

7. Great Dane owns all of the rights and interest in United States Patent Nos. 6,652,018 ("the '018 Patent"), and 6,923,493 ("the '493 Patent"), (collectively, the "Patents In Suit"). True and accurate copies of the '018 Patent and the '493 Patent are attached hereto as Exhibits "A" and "B" respectively.

THE '018 PATENT

8. The '018 Patent was duly and legally issued by the United States Patent and Trademark Office on November 25, 2003.

9. Great Dane owns all rights and interest in, and is the assignee of, the '018 Patent, entitled Trailer With Side Wall Having Laminate Panel.

10. The Defendant is infringing the '018 Patent by making, using, selling, or offering for sale in the United States, products and/or services embodying the patented inventions claimed in the '018 Patent.

11. Upon information and belief, the Defendant is actively, intentionally, and/or knowingly inducing or contributing to infringement of the '018 Patent by others.

THE '493 PATENT

12. The '493 Patent was duly and legally issued by the United States Patent and Trademark Office on August 2, 2005.

13. Great Dane owns all rights and interest in, and is the assignee of, the '493 Patent, entitled Trailer With Side Wall Having Laminate Panel.

14. The Defendant is infringing the '493 Patent by making, using, selling, or offering for sale in the United States, products and/or services embodying the patented inventions claimed in the '493 Patent.

15. Upon information and belief, the Defendant is actively, intentionally, and/or knowingly inducing or contributing to infringement of the '493 Patent by others.

DEFENDANT'S INFRINGEMENT

16. Upon information and belief, the Defendant's infringement of the '018 and '493 Patents is willful and deliberate, making this case exceptional within the meaning of 35 U.S.C. § 285 and justifying treble damages pursuant to 35 U.S.C. § 284.

17. Upon information and belief, the Defendant will continue to infringe the '018 and '493 Patents, causing immediate and irreparable harm unless this Court enjoins and restrains the Defendant's activities.

18. Upon information and belief, the infringement by Defendant has and will deprive Great Dane of sales, profits, and other related revenue which Great Dane would have made or would enjoy in the future, has injured Great Dane in other respects, and will cause Great Dane

added injury and damage, including loss of sales, profits, and other related revenue in the future unless Defendant is enjoined from infringing the '018 Patent and the '493 Patent.

PRAYER FOR RELIEF

WHEREFORE, Great Dane respectfully requests this Court enter judgment in its favor, and against Defendant, Stoughton Trailers, LLC, as follows:

A. That U.S. Patent Nos. 6,652,018 and 6,923,493 are valid, enforceable, and infringed by the Defendant;

B. A permanent injunction against Defendant enjoining them, their directors, officers, agent, employees, successors, subsidiaries, assigns, and all persons acting in privity or in concert or participation with Defendant from making, using, selling, or offering for sale in the United States, or importing into the United States, any and all products and/or services embodying the patented inventions claimed in the '018 and '493 Patents;

C. Awarding such damages to Great Dane to which it is entitled;

D. Awarding enhanced damages for willful infringement;

E. Awarding Great Dane pre-judgment and post judgment interest as allowed by law;

F. Awarding Great Dane its costs, expenses, and fees, including reasonable attorneys' fees pursuant to 35 U.S.C. § 285; and

G. Awarding such other relief as the Court deems just and proper.

JURY DEMAND

Great Dane demands trial by jury on all issues in this case other than its request for injunctive relief.

Respectfully submitted,

HUNTER, MACLEAN, EXLEY & DUNN, P.C.

s/John M. Tatum

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Partnership

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